



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of:

MICHAEL LEONHARDT et al.

Group Art Unit: 2188

Examiner: Portka, Gary J.

Serial No.: 10/803,137

Filed: March 10, 2004

For: OUTBOARD DATA STORAGE MANAGEMENT  
SYSTEM AND METHOD

Attorney Docket No.: 94-045-TAX (STK 94045 PUSX)

**TERMINAL DISCLAIMER**  
**UNDER 37 C.F.R. § 1.321(c)**

Mail Stop Amendment  
Commissioner for Patents  
U.S. Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned is an Attorney of Record in the above-identified patent application.

Storage Technology Corporation ("the Assignee") is the owner of the entire right, title, and interest in and to the invention claimed and disclosed in the above-identified patent application by virtue of an Assignment recorded on June 11, 2001 at Reel 011902, Frame 0695.

05/26/2006 HDESTA1 00000007 194545 10803137

01 FC:1814 130.00 DA

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

May 19, 2006  
Date of Deposit

James N. Kallis  
Name of Person Signing

[Signature]  
Signature

The Assignee is the owner of the entire right, title, and interest to U.S. Patent No. 6,094,605 by virtue of an Assignment recorded on July 6, 1998 at Reel 009304, Frame 0074.

The Assignee is the owner of the entire right, title, and interest to U.S. Patent No. 6,330,621 by virtue of an Assignment recorded on January 15, 1999 at Reel 009721, Frame 0407.

The Assignee hereby disclaims the terminal part of any patent granted on the above-identified patent application which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent Nos. 6,094,604 and 6,330,621.

The Assignee hereby agrees that any patent so granted on the above-identified patent application shall be enforceable only for and during such period that the legal title to the patent shall be the same as the legal title to U.S. Patent Nos. 6,094,605 and 6,330,621. This agreement to run with any patent granted on the above-identified patent application and to be binding upon the Assignee, its successors, and assigns.

The Assignee does not disclaim any terminal part of any patent granted on the above-identified patent application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent Nos. 6,094,605 and 6,330,621 in the event that anyone of U.S. Patent Nos. 6,094,605 and 6,330,621 expire for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The Commissioner is hereby authorized to charge the Terminal Disclaimer fee of \$130.00 which represents the filing fee under 37 C.F.R. § 1.20(d), to the deposit account of Storage Technology Corporation, Deposit Account No. 19-4545. A duplicate copy of this paper is enclosed for that purpose.

Respectfully submitted,

**MICHAEL LEONHARDT et al.**

By: 

James N. Kallis  
Registration No. 41,102  
Attorney for Applicant

Date: May 19, 2006

**BROOKS KUSHMAN P.C.**  
1000 Town Center, 22<sup>nd</sup> Floor  
Southfield, Michigan 48075-1238  
Phone - (248) 358-4400  
Fax - (248) 358-3351